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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/768,313
Filing Date	January 30, 2004
First Named Inventor	Terry et al.
Art Unit	2684
Examiner Name	Not Yet Known
Attorney Docket Number	I-2-0192.5US

**ENCLOSURES (Check all that apply)**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><b>Form PTO-1449</b> |
|---|---|---|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	VOLPE AND KOENIG, P.C.		
Signature	<i>Scott Wolinsky</i>		
Printed name	Scott Wolinsky		
Date	JUNE 14, 2006	Reg. No.	46,413

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Scott Wolinsky</i>		
Typed or printed name	Scott Wolinsky	Date	6/14/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Terry et al.

**Application No.:** 10/768,313

**Confirmation No.:** 2684

**Filed:** January 30, 2004

For: DYNAMIC CHANNEL QUALITY  
MEASUREMENT PROCEDURES FOR  
OPTIMIZING DATA TRANSMISSION IN A  
WIRELESS DIGITAL COMMUNICATION  
SYSTEM

**Group:** 2684

**Examiner:** Not Yet Known

**Our File:** I-2-0192.5US

**Date:** June 14, 2006

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Newly cited documents are indicated by an asterisk (\*). Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and/or patent documents have not been included.

**Applicant: Terry et al.**  
**Application No.: 10/768,313**

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Terry et al.

By Scott Wolinsky  
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Registration No. 46,413  
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SW/akg  
Enclosures ( 1 )



FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)				ATTY. DOCKET NO. I-2-0192.5US		SERIAL NO. 10/768,313	
				APPLICANT Terry et al.			
				FILING DATE January 30, 2004		GROUP 2684	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,375,123	12/1994	Andersson et al.			
		5,428,816	06/1995	Barnett et al.			
		5,701,294	12/1997	Ward et al.			
		5,867,478	02/1999	Baum et al.			
		5,940,439	08/1999	Kleider et al.			
		5,949,790	09/1999	Pehkonen et al.			
		5,960,335	09/1999	Umemoto et al.			
		6,101,179	08/2000	Soliman			
		6,115,406	09/2000	Mesechner			
		6,167,031	12/2000	Olofsson et al.			
		6,208,663	03/2001	Schramm et al.			
		6,301,265	10/2001	Kleider et al.			
		6,307,867	10/2001	Roobol et al.			
		6,298,035	10/2001	Heiskala			
		6,330,288	12/2001	Budka et al.			
		6,347,071	02/2002	Cupo et al.			
		6,373,877	04/2002	Mesecher			
		6,374,118 B1	04/2002	Toskala et al.			
		6,381,231	04/2002	Silventoinen et al.			
		6,381,445	04/2002	Ue et al.			
		6,414,946 B1	07/2002	Satou et al.			
		6,545,997	04/2003	Bohnke et al.			
		6,567,665 B1	05/2003	Kissee			
		6,584,092	06/2003	Sudo			

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO. I-2-0192.5US	SERIAL NO. 10/768,313
	APPLICANT Terry et al.	
	FILING DATE January 30, 2004	GROUP 2684

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,603,797 B1	08/2003	Zeira et al.			
		6,631,123 B1	10/2003	Jiang et al.			
		6,707,808 B1	09/2000	Vedrine			
		6,700,881	03/2004	Kong et al.			
		6,721,569 B1	04/2004	Hashem et al.			
		6,810,236	10/2004	Terry et al.			
	*	6,909,901	06/2005	Terry et al.			
		6,928,065	08/2005	Logalbo et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		1 024 622 A2	08/2000	EP				
		00/72496 A1	11/2000	WO				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
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